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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

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PALLONEN

Group Art Unit: 2684

MAR 26 2003

Application No.: 09/194,297

Examiner: P. Tran

Technology Center 2600

Filed: November 23, 1998

Attorney Dkt. No.: 60091.00058

For: METHOD FOR DETERMINING THE POSITION OF A MOBILE STATION

DECLARATION UNDER 37 CFR § 1.8(b)(3)

Commissioner for Patents
Washington, D.C. 20231

Sir:

In support of the Petition to Withdraw the Holding of Abandonment which was filed on March 7, 2003, the undersigned hereby makes the following declarations:

a). I, Michael T. Wallace, United States Patent & Trademark Office Registration No. 45,420, am a former Agent of Record in the above-referenced patent application.

b). On August 7, 2002, while acting as Agent for the Applicants, I prepared and signed a full and complete response to the Official Action dated May 8, 2002. This response included a Terminal Disclaimer, a check in the amount of \$110.00 for the Terminal Disclaimer fee, a transmittal sheet, and a return postcard. Copies of all of the submitted documents are attached hereto.

c). The submission included an appropriate certificate of mailing under 37 CFR § 1.8.

d). Pursuant to our normal business practice, the documents were deposited in the United States postal service as first class mail with sufficient postage, in an envelope which was addressed to the Assistant Commissioner for patents, Washington, D.C.

20231, on August 7, 2002.

e). We cannot provide a copy of the stamped returned postcard, as none was received by our office.

f). The undersigned declares further that all statements made herein are believed to be true and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Michael T. Wallace
Registration No. 45,420

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office

Date of Deposit: August 7, 2002

Applicant: Pallonen

Title: METHOD FOR DETERMINING THE POSITION OF A MOBILE STATION

Serial Number: 09/194297

Filing Date: November 23, 1998

Docket Number: 781.69USWO

- ☒ Response
- ☒ Terminal Disclaimer
- ☒ Check in the amount of \$110.00 for Terminal Disclaimer fee
- ☒ Transmittal Sheet
- ☒ Return postcard

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S/N 09/194297

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Pallonen	Examiner:	Tran
Serial No.:	09/194297	Group Art Unit:	2684
Filed:	November 23, 1998	Docket No.:	781.69USWO
Title:	METHOD FOR DETERMINING THE POSITION OF A MOBILE STATION		

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on August 7, 2002

Michael T. Wallace
Name

Michael T. Wallace
Signature

Assistant Commissioner for Patents
Washington, D.C. 20231



- ☒ Response
- ☒ Terminal Disclaimer
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- ☒ Transmittal Sheet
- ☒ Return postcard

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC
6500 City West Parkway, Suite 100
Minneapolis, MN 55344-7704
952.253.4127

Date: August 7, 2002

By: *Michael T. Wallace*
Michael T. Wallace
Reg. No. 45,420

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S/N 09/194297

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Pallonen	Examiner:	Tran
Serial No.:	09/194297	Group Art Unit:	2684
Filed:	November 23, 1998	Docket No.:	781.69USWO
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Michael T. Wallace
Name

Michael T. Wallace
Signature

Response**RECEIVED**

MAR 26 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Dear Sir:

In response to the Office Action dated May 8, 2002, setting a three-month shortened statutory period for response, please amend the above-identified patent application as follows:

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Office Action Response

REMARKS

In response to the Office Action dated May 8, 2002, in paragraph 2 on page 2 claims 1-8 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 5,893,033.

Applicant respectfully traverses this rejection, but in the interest of expediting prosecution has attached hereto a terminal disclaimer to overcome the rejection.


If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Agent for the Applicant, Michael T. Wallace at 952.253.4127.

Respectfully submitted,

Altera Law Group, LLC
6500 City West Parkway, Suite 100
Minneapolis, MN 55344-7704
952.253.4127

Date: August 7, 2002

By:


Michael T. Wallace
Reg. No. 45,420

MTW/mar

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ALG 781.69USWO
Office Action Response

S/N 09/194297

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Pallonen	Examiner:	Tran
Serial No.:	09/194297	Group Art Unit:	2684
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Michael T. Wallace
Name

Michael T. Wallace
Signature

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Technology Center 2600

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231



Dear Sir:

Nokia Telecommunications Oy, a corporation organized and existing under the laws of Finland and having its primary place of business at Keilalahdentie 4, FIN-02150 Espoo, Finland, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/194,297, filed on the 23rd day of November 1998 for a METHOD FOR DETERMINING THE POSITION OF A MOBILE STATION, by virtue of our assignment recorded at Reel 9767, Frame 0552.

Nokia Telecommunications Oy hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,893,033, also assigned to and owned by said Nokia Telecommunications Oy as indicated by the Assignment Records of the U.S. Patent and Trademark Office, and

hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,893,033, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, Nokia Telecommunications Oy does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,893,033 in the event that any such issued patent issuing therefrom: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.


I certify that I am the agent of record.

Respectfully submitted,

Altera Law Group, LLC
6500 City West Parkway, Suite 100
Minneapolis, MN 55344-7704
952.253.4127

Date: August 7, 2002

By:


Michael T. Wallace
Reg. No. 45,420

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March 26, 2003

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Number Of Pages (including cover): 9

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MAR 26 2003
Technology Center 2600

TO: Examiner Tung

FAX NO.: 703.746.5913

COMPANY: U.S. Patent & Trademark Office

PHONE NO.: 703.305.9660

FROM: Douglas H. Goldhush

DIRECT DIAL NO.: +1.703.720.7825

E-MAIL: dgoldhush@ssd.comRE: U.S. Patent Appln. S.N. 09/194,297
Inventor: PALLONEN
Our Ref: 60091.00058**Message:**

Dear Examiner Tung,

As requested, attached is the Declaration from Mr. Michael Wallace.

With best regards,

Douglas H. Goldhush

DHG:sec

CONFIDENTIALITY NOTICE:

The attached information is LEGALLY PRIVILEGED AND CONFIDENTIAL and is intended only for the use of the addressee named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, please be aware that any dissemination, distribution or duplication of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via the postal service. Thank you.

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